

Liber W.C. craves Judgment of the Court whether the said writt ought to abate or not, And the said p^lt likewise

Which being read heard and argued and by the Justices here fully und^rstood Itt Seemeth to the same Justices, that the said plea of the said Defend^t in abatement of the writt aforesaid in manner and fforme aforesaid pleaded, and the matters in the same Contained are sufficient in Law to abate the aforesaid writt against the said Defendant in fforme aforesaid Obtained, Therefore Itt is Considered that the Writt aforesaid against the said Defendant in fforme aforesai[d] obtained shall bee abated and the said Defendant may goe thereof w^hout day And also that the said Thomas Taylor recover against the said William Dolberry the sume of

pounds of tobacco, ffor his costs and charges by him about his Defence in this behalfe laid out & expended And that the said Thomas Taylor may have thereof Execution &c

James Bennett & W ^m	} Thomas Taylor late of Dorchester County	
Dolbury		otherwise called Thomas Taylor of Dor-
ag ^t		chester County was sumoned to answere
Thomas Taylor		unto James Bennett and William Dolbury
		in a plea that hee hold Covenant with them
		according to the fforce forme and effect of a certaine Indenture of
		Charter pty made between Edmond Dwyer on the behalfe of the
		said Thomas Taylor, and them the said James Bennett and William
		Dolbury w ^{ch} to keepe with them hee ought &c ^a

And Whereupon the said James Bennett and William Dolbury by Kenelm Cheseldyn their Attorney saith that Whereas by a Certaine Indenture of Charter party made the one and twentieth day of August in the thirtieth yeare of the Reigne of o^r Sovereign Lord King Charles the second of England &c Annoq Dominj One thousand six hundred Seaventy eight Between them the said James Bennett and William Dolbury, by the names of James Bennett of sarum in the County of Wilshire Marchant, and W^m Dolbury of the County and Towne of Poole Maryn^r and Master under god of the good shipp called the sarum Marchant of Poole Burthen Two hundred Tunns or thereabouts, ffor themselves and Partners of the one part, And Edmond Dwyer, ffactor and agent of the said Thomas Taylor, by the name of Edmond Dwyer of Little Choptanke in Maryland Marchant, ffor and on the behalfe of the said Cap^t Thom[as] Taylor of the same place of the other part, of w^{ch} other part whereof with the seale of the said Edmond Dwyer, signed, they bring here in Court, the date Whereof is the same day and yeare above written Itt is witnessed, that the said James Bennett and William Dolbury did by those presents grant and Lett to ffreight unto the said Edmond Dwyer his ffactor or assignes part ffreight in the said ship in the p^rsent intended Voyage under mentioned, and hee the said Edmond tooke or hyred the same to ffreight as fol-